

North Carolina Agriculture Cost Share Program Review Summary  
(October, 2016)

County	<u>Henderson</u>	Date of Previous Review/Report	<u>March 2003</u>
District Staff Name(s)	<u>April Hoyt, Jonathan Wallin, Rachael Smith</u>	Date	<u>10/12/2016</u>
NRCS Staff Name(s)	<u></u>		
Division Representative(s)	<u>Davis Ferguson, Kelly Hedgepeth</u>		
Additional Participants	<u></u>		

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Section 1: Application Procedures and Tracking Progress (BMP Implementation and Payments) Questions in this section focus on how the district advertises the program, how applications are developed, how contracts are developed, how funds are tracked and how the board approves each.										
How/when are the district board meetings scheduled?				X	The board schedules second Monday at noon in the office. Posted every November for the following year.		X			
How do you notify the public of the board meeting schedule? Does it adhere to the Open Meetings Law?				X	Posted on website, historic court house where all county meetings are published, on door of office, paper		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
					when they publish it, and on county website					

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
<i>Please describe the district's process for providing assistance to applicants by assessing resource concerns to determine if a BMP is "needed and feasible" and then developing the conservation plan.</i>				X	The district staff works with NRCS for conservation planning, sometimes identify sites, sometimes landowner comes to staff. They do a conservation plan and depending on resources use federal or state cost share.		X			
<i>In what instances does the district provide technical assistance without cost share funds?</i>	X				CCAP type projects. The district does a lot of TA without funds, 5-10 calls that are urban. Provide TA for the lowest cost remedy the issues and follow up with detailed TA.  TA is also provided for grant funded projects with other partners. They provide TA partner provides funds for agricultural projects. The current grant will be a total of 6 years of funding from City of Asheville, Hendersonville and 319.  The Henderson district goes above and beyond with the technical assistance provided. The division commends the district for their hard work.		X			
<i>Are applications reviewed and approved by the Board as a separate action item?</i>				X	Yes,		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Are application motions/decisions recorded in the board minutes?				X	Yes		X			
Applicants are limited when applying for incentive BMPs. How does your district track applicants so they do not go over the practice caps and to be sure they haven't already "adopted" the practice?  Is your district using the self-certification for incentives form provided by the division?				X	The district rarely does incentives. Have done no till beans years ago. They will use the new incentive form if they do incentive practices in the future.		X			
If multiple partners farm together, how does the district track individual applicants as one operation or entity?				X	Staff knowledge and FSA records. They also use spreadsheets to track previous cost share.		X			
At what point in the application process does the district develop the contract? Describe this process.				X	Depends on the funds used and time of the year. Sometimes they get the application approved and then do the contract. Depending on the time of the year may bring both applications and contracts together.		X			
Describe how the district reviews the contract with the applicant. Do you explain that work cannot begin until the contract is approved by the division?				X	Meet with the cooperator in person. And go over the forms in great detail. They give the producer a copy of the contract once officially.		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Describe the district/board's procedure for approving supervisor contracts.				X	Open board meeting, the supervisor abstains from voting, send the 1B form in.		X			
<i>Are contracts reviewed and approved by the Board as a separate action item?</i>				X	Yes		X			
<i>Are contract motions/decisions recorded in the board minutes?</i>				X	yes		X			
<i>Is it documented in the Board minutes that the supervisor abstained from discussing his/her own contract and from voting?</i>				X	Meeting minutes 4/11/2016		X			
What procedures do you follow for notifying the applicant that work can begin?				X	The district staff gives a producer a copy of the contract with an approval letter. They are also notified with a phone call		X			
What information do you provide the applicant?				X	Copy of contract, approval letter, designs and specs. Conservation plan		X			
What technical assistance do you provide during the BMP installation process to ensure the BMP is installed correctly and by the contract deadline?	X				Construction starts staff is on site to be sure they are following design, make multiple site visits. The staff can tweak the designs if needed. The district commends the district for the level of construction oversight provided.		X			
How do you track the Commission's interim performance milestone? One-third of the work must be completed within 12 months of division approval.				X	Have a spreadsheet where all contracts are tracked.		X			


Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
If 1/3 of the work has not been completed within 12 months and the cooperators requests additional time, is the district recording 6-month extensions in the board minutes?				X	Not recently. The staff does not recall having to do this.		X			
What documentation do you include in the contract file that certifies that the BMP was inspected and is installed to the standards?				X	RFP with JAA, field notes during construction and after, check out notes, as built designs.		X			
Are BMPs measured then certified before the request for payment is approved? How is this documented?				X	Yes, and notes in contract		X			
Are receipts received and reviewed for CSP BMPs that are based on actual cost?				X	Keep receipts, uploaded into CS2		X			
Are request for payments reviewed and approved by the board as a separate action item?				X	yes		X			
Are payment motions/decisions recorded in the board minutes?				X	yes		X			
<b>Section 2: Spot Checks and Compliance Issues</b> Questions in this section focus on how the district reviews BMPs for compliance and how maintenance and/or non-compliance issues are addressed.										


Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Who participates in annual spot checks? When are they conducted?				X	Spot checks are scheduled in May or June, usually first week in May. At least one board member and staff, Greg and Drew, usually done in one full day.		X			
How does the district randomly select which contracts to spot check?				X	# of active, 5%, then divide to get a number to check. Then county every X number		X			
Are all BMPs under the waste management category spot checked for the first five years after installation? This applies to all farms that fall under the thresholds that are regulated by DWR.				X	Waste management tracked separately, most are out of business.  They have 3 dairies left in the county.		X			
Are all agriculture new ponds, pond repair/retrofits, and water collection systems being spot-checked every year during the maintenance period?				X	yes		X			
Are all agriculture road repair/stabilizations being spot-checked at least every 2 years during the maintenance period?				X	Henderson doesn't have ag road repair contracts.		X			
How does the district notify the NRCS area office (for ACSP contracts) or division (for CCAP contracts) to conduct spot checks on lands owned or operated by a district, county, division or NRCS employee or district supervisor? This includes CPOs, revisions, supplements or repairs.				X	Most are checked by Jeff Young; they don't use much NRCS.		X			


Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
The North Carolina Statute 02 NCAC 59D.0107(f) states "If the technical representative of the district determines that a BMP for which program funds were received has been destroyed or has not been properly maintained, the applicant will be notified that the BMP must be repaired or re-implemented within 30 working days. For vegetative practices, applicants are given one calendar year to re-establish the vegetation."  How does your district notify individuals that have destroyed or mismanaged a BMP?				X	The district sends a certified letter explaining the compliance policy. The call before the letter is sent.		X			
How are supervisors notified of BMPs that are found to be destroyed or mismanaged at any time throughout the year?				X	The board is usually notified at the board meeting; the issue is on the agenda. Most all of the issues are noted in spot check reports. The staff will notify board if outside of spot checks.		X			
Does the district provide a written notice that the BMP must be repaired or re-implemented within 30 working days? (Vegetative practices have to be reestablished within one calendar year.) Is a copy of the notification kept in the contract file?				X	Certified letter on file		X			
If the BMP was not repaired or re-implemented, was repayment requested? Please provide documentation.				X	Only one producer has had to repay, AGs office got the payment.		X			
Is the district notifying the division of non-compliance and resolutions?				X	Yes, sends a copy of the letters to the division.		X			





Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Section 3: Record Keeping										
Questions in this section focus on how funds are managed and accounted for, maintaining proper design and job approval authority, as well as disclosure forms.										
How does the district track BMP funds?				X	On the spreadsheet, provided to board at every meeting. Will also have potential projects listed on the spreadsheet.		X			
In what instances does the district use the division on-line (website & CS²) reports?				X	Not yet, intend to use in the future to verify the spreadsheet.		X			
How are technical assistance and operating funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	Separate line item in the county budget, have external and internal audits.		X			
Who in the office is funded by Cost Share Technical Assistance (TA) from the State?				X	JW, LB		X			
How are matching funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	County as separate line item in the budget.		X			
Is proper job approval authority (JAA) documented for each technical and cost share position? Please provide a copy of the latest approved JAA.				X	Yes, copy provided		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Section 4: Contract Reviews and Site Visits Below is a list of the contracts the division reviewed. Spot checks were also conducted. Notes include recommendations and/or corrective action for contract files as well as the BMP. Contracts/BMPs are listed by contract number.										
Contract Number: 45-2006-003 Applicant Name: Harold McKinney BMP:Stream Protection 				X	No concerns, BMP functioning.		X			


Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Contract Number: Applicant Name: 45-2011-003 BMP: AgChemical Handling Facility 				X	No concerns, BMP functioning. May be a potential for ag road repair in the area near the facility.		X			


Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
<p>Contract Number: 45-2011-102 Applicant Name: McConnell Farms BMP: Microirrigation</p> 				X	No concerns, BMP functioning.		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
<div>Contract Number: 45-2013-501</div> <div>Applicant Name: Ironwood Square Property Owners</div> <div>BMP: Backyard wetland/critical area</div> <div></div>				X	No concerns, BMP functioning.		X			


Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Contract Number: 45-2014-007 Applicant Name: James Dalton BMP: Ag road repair/ Streambank stabilization/HUA 				X	No concerns, BMP functioning.		X			




Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Contract Number: 45-2014-801 Applicant Name: Tony Hill BMP: AgWRAP pond 				X	No concerns, BMP functioning.		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Contract Number: 45-2014-803 Applicant Name: McConnell Farms BMP: Pond Sediment Removal 				X	No concerns, BMP functioning.		X			



Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Contract Number: 45-2014-804 Applicant Name: McConnell Farms BMP: Pond Sediment Removal 				X	No concerns, BMP functioning.		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Contract Number: 45-2016-501 Applicant Name: Henderson County BMP: Streambank and Shoreline protection 				X	No concerns, BMP functioning.		X			